

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Judiciary, to which was referred House Bill 1077, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Replace the effective dates in SECTIONS 1 through 2 with
- 2 "[EFFECTIVE UPON PASSAGE]".
- 3 Page 1, between the enacting clause and line 1, begin a new
- 4 paragraph and insert:
- 5 "SECTION 1. IC 32-28-13-4 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) This chapter
- 7 provides the procedure for filing and releasing a common law lien.
- 8 (b) This chapter does not create a common law lien. A common law
- 9 lien does not exist against the property of a public official for the
- 10 performance or nonperformance of the public official's official duty. A
- 11 person asserting a common law lien must prove the existence of the
- 12 lien as prescribed by the common law of Indiana.
- 13 (c) **Unless a common law lien becomes void at an earlier date**
- 14 **under section 6(b) of this chapter, a common law lien is void if the**
- 15 **common law lienholder fails to commence a suit on the common**
- 16 **law lien within one hundred eighty (180) days after the date the**

- 1 **common law lien is recorded under this chapter."**
 - 2 Page 1, line 13, delete "metal".
 - 3 Page 1, line 15, delete "metal".
 - 4 Page 2, line 2, after "tools," insert "**injection molds,**".
 - 5 Page 4, line 28, delete "shall" and insert "**may**".
 - 6 Page 4, line 31, delete "shall" and insert "**may**".
 - 7 Page 4, line 32, delete "the IC 26-1-9.1-502." and insert "**IC**
 - 8 **26-1-9.1-502 to perfect the special tool builder's lien under**
 - 9 **subsection (c)."**
 - 10 Page 4, line 36, delete ":" and insert "**information that the special**
 - 11 **tool builder is required to record on the special tool under**
 - 12 **subsection (a) constitutes actual and constructive notice of the**
 - 13 **special tool builder's lien on the special tool."**
 - 14 Page 4, delete lines 37 through 41.
 - 15 Page 6, after line 41, begin a new paragraph and insert:
 - 16 "**SECTION 4. An emergency is declared for this act.**".
 - 17 Re-number all SECTIONS consecutively.
- (Reference is to HB 1077 as introduced.)

and when so amended that said bill do pass.

Representative Lawson L